

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY _____ D.C.

05 MAY -9 PM 2:26

ROBERT R. DI TROLIO
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BERNADETTE CUNNINGHAM and)
ROSALIND JOHNSON, Individually and)
as Administratrix of the Estate of)
NEKEYA MAGSBY, Deceased,)

Plaintiffs,)

VS.)

No. 04-1144-T/An

MICHELIN NORTH AMERICA, INC.,)
and MICHELIN AMERICAN)
RESEARCH & DEVELOPMENT CORP.,)

Defendants.)

ORDER DENYING MOTION FOR TRIAL CONTINUANCE

On May 6, 2005, the plaintiffs, Bernadette Cunningham and Rosalind Johnson, individually and as administratrix of the Estate of Nekeya Magsby, filed a motion for a continuance of the trial in this case, which is currently scheduled for September 12, 2005.

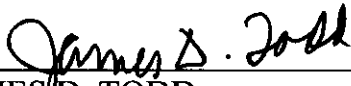
Plaintiffs have failed to comply with Local Rule 7.2(a)(1)(A)-(B). Paragraph (A) of that rule requires motions to be accompanied by a proposed order. Paragraph (B) requires the motion to be accompanied by a certificate of consultation

affirming that, after consultation between the parties to the controversy, they are unable to reach an accord as to all issues or that all other parties are in agreement with the action requested by the motion. Failure to file an accompanying certificate of consultation may be deemed good grounds for denying the motion.

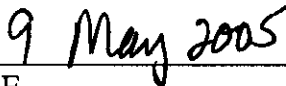
This document entered on the docket sheet in compliance
with Rule 58 and/or 79 (a) FRCP on 5/10/05

Plaintiffs' motion for a continuance is DENIED without prejudice to refile in compliance with the Local Rules.

IT IS SO ORDERED.



JAMES D. TODD
UNITED STATES DISTRICT JUDGE



DATE



Notice of Distribution

This notice confirms a copy of the document docketed as number 34 in case 1:04-CV-01144 was distributed by fax, mail, or direct printing on May 10, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT